

08/22/01

1132 U.S. PTO

Please type a plus sign (+) inside this box →



08-23-01

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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10/22/01  
08/22/01**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No

019322-000340

First Inventor

Molnar, Ingo

Title

EMBEDDED PROTOCOL OBJECTS

Express Mail Label No

ET513243849US

**APPLICATION ELEMENTS****SEE MPEP chapter 600 concerning utility patent application contents.****ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages: 28]  
(preferred arrangement set forth below)  
-Descriptive title of the invention  
-Cross Reference to Related Applications  
-Statement Regarding Fed sponsored R & D  
-Reference to sequence listing, a table,  
or a computer program listing appendix  
-Background of the Invention  
-Brief Summary of the Invention  
-Brief Description of the Drawings (if filed)  
-Detailed Description  
-Claim(s)  
-Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Pages: 6]
5. Oath or Declaration [Total Pages: 2]  
a. ☒ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
Named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet See 37 CFR 1.76

7. ☒ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on.  
i. ☐ CD-ROM or CD-R (2 copies), or  
ii. ☐ paper  
c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & documents(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS Citations  
Statement (IDS)/PTO-1449
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent
17. ☐ Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information Examiner: \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

|         |                       |           |                |          |              |
|---------|-----------------------|-----------|----------------|----------|--------------|
| Name    | MOORE & VAN ALLEN     |           |                |          |              |
| Address | SUITE 800             |           |                |          |              |
|         | 2200 WEST MAIN STREET |           |                |          |              |
| City    | DURHAM                | State     | NORTH CAROLINA | Zip Code | 27705        |
| Country | USA                   | Telephone | 919-286-8000   | Fax      | 919-286-8199 |

|           |                    |                                   |                 |
|-----------|--------------------|-----------------------------------|-----------------|
| Name      | Steven B. Phillips | Registration No. (Attorney/Agent) | 37,911          |
| Signature |                    | Date                              | August 21, 2001 |

Burden Hour Statement This form is estimated to take 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application Washington, DC 20231

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*Patent fees are subject to annual revision.*

**Complete if Known**

|                      |              |
|----------------------|--------------|
| Application Number   |              |
| Filing Date          |              |
| First Named Inventor | Molnar, Ingo |
| Examiner Name        |              |
| Group Art Unit       |              |
| Attorney Docket No.  | 019322-340   |

|                                |      |        |
|--------------------------------|------|--------|
| <b>TOTAL AMOUNT OF PAYMENT</b> | (\$) | 790.00 |
|--------------------------------|------|--------|

### METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number 13-4365

|                      |                        |
|----------------------|------------------------|
| Deposit Account Name | Moore & Van Allen PLLC |
|----------------------|------------------------|

☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check   ☐ Credit card   ☐ Money Order   ☐ Other

### FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description |
|--------------|----------|--------------|----------|-----------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                 |

|     |     |     |     |                        |        |
|-----|-----|-----|-----|------------------------|--------|
| 101 | 710 | 201 | 355 | Utility filing fee     | 710.00 |
| 106 | 320 | 206 | 160 | Design filing fee      |        |
| 107 | 490 | 207 | 245 | Plant filing fee       |        |
| 108 | 710 | 208 | 355 | Reissue filing fee     |        |
| 114 | 150 | 214 | 75  | Provisional filing fee |        |

|              |      |        |
|--------------|------|--------|
| SUBTOTAL (1) | (\$) | 710.00 |
|--------------|------|--------|

## 2. EXTRA CLAIM FEES

|                    |    | Extra Claims |     | Fee from below | Fee Paid |
|--------------------|----|--------------|-----|----------------|----------|
| Total Claims       | 12 | -20** =      | -0- |                |          |
| Independent Claims | 4  | -3** =       | 1   | 80.00          | 80.00    |
| Multiple Dependent |    |              |     |                |          |

**Large Entity   Small Entity**

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description |
|----------|----------|----------|----------|-----------------|
|----------|----------|----------|----------|-----------------|

|     |     |     |     |   |
|-----|-----|-----|-----|---|
| 103 | 18  | 203 | 9   | Claims in excess of 20  |
| 102 | 80  | 202 | 40  | Independent claims in excess of 3                             |
| 104 | 270 | 204 | 135 | Multiple dependent claim, if not paid                         |
| 109 | 80  | 209 | 40  | ** Reissue independent claims<br>over original patent         |
| 110 | 18  | 210 | 9   | ** Reissue claims in excess of 20<br>and over original patent |

|              |      |       |
|--------------|------|-------|
| SUBTOTAL (2) | (\$) | 80.00 |
|--------------|------|-------|

*\*\*or number previously paid, if greater. For Reissues, see above*

**FEE CALCULATION** (continued)


### 3. ADDITIONAL FEES

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105                 | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127                 | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                 | 130      | 139          | 130      | Non-English specification  |          |
| 147                 | 2,520    | 147          | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112                 | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113                 | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115                 | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116                 | 390      | 216          | 195      | Extension for reply within second month                                    |          |
| 117                 | 890      | 217          | 445      | Extension for reply within third month                                     |          |
| 118                 | 1,390    | 218          | 695      | Extension for reply within fourth month                                    |          |
| 128                 | 1,890    | 228          | 945      | Extension for reply within fifth month                                     |          |
| 119                 | 310      | 219          | 155      | Notice of Appeal   |          |
| 120                 | 310      | 220          | 155      | Filing a brief in support of an appeal                                     |          |
| 121                 | 270      | 221          | 135      | Request for oral hearing   |          |
| 138                 | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140                 | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141                 | 1,240    | 241          | 620      | Petition to revive - unintentional   |          |
| 142                 | 1,240    | 242          | 620      | Utility issue fee (or reissue)   |          |
| 143                 | 440      | 243          | 220      | Design issue fee   |          |
| 144                 | 600      | 244          | 300      | Plant issue fee  |          |
| 122                 | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123                 | 50       | 123          | 50       | Processing fee under 37 CFR 1 17(q)  |          |
| 126                 | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581                 | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146                 | 710      | 246          | 355      | Filing a submission after final rejection (37 CFR § 1 129(a))              |          |
| 149                 | 710      | 249          | 355      | For each additional invention to be examined (37 CFR § 1 129(b))           |          |
| 179                 | 710      | 279          | 355      | Request for Continued Examination (RCE)                                    |          |
| 169                 | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |          |              |          |  |          |

\*Reduced by Basic Filing Fee Paid

|              |      |     |
|--------------|------|-----|
| SUBTOTAL (3) | (\$) | -0- |
|--------------|------|-----|

## SUBMITTED BY

|                   |   |                                     |        |           |                 |
|-------------------|---|-------------------------------------|--------|-----------|-----------------|
| Name (Print/Type) | Steven B. Phillips  | Registration No<br>(Attorney/Agent) | 37,911 | Telephone | 919-286-8000    |
| Signature         |  |                                     |        | Date      | August 22, 2001 |

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.** SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                   |   |                         |
|-----------------------------------|---|-------------------------|
| In re application of: Ingo Molnar | ) |                         |
|                                   | ) |                         |
| Serial No.:                       | ) | Group Art Unit: Unknown |
|                                   | ) |                         |
| Title: Embedded Protocol Objects  | ) | Examiner: Unknown       |
|                                   | ) |                         |

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Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER ACCOMPANYING COMPACT DISC  
COMPUTER PROGRAM LISTING APPENDIX UNDER 37 C.F.R. § 1.52(e)**

The patent application filed herewith includes a computer program listing appendix on CD-R compact disc in MS-DOS format. The compact disc was created on July 20, 2001, and contains a single file entitled: **tux2-full.txt** which was created on **June 15, 2001** and has a length of **1,057 kilobytes**. The compact disc is being submitted in duplicate, each copy being labeled with the title and inventor as shown above, and being further designated Copy 1 and Copy 2; the two copies are identical save for this label designation. Anyone at the United States Patent and Trademark Office having questions about this submission can contact the attorney of record, whose name, address, telephone number, and facsimile number appear below.

Respectfully submitted,

Date: 8/21/01

By: Dr B Phillips  
Steven B. Phillips  
Registration No. 37,911,  
Attorney for Applicant

Moore & Van Allen  
2200 West Main Street, Suite 800  
Durham, NC 27705  
Telephone: (919) 286-8000  
Facsimile: (919) 286-8199

**EXPRESS MAIL CERTIFICATE**

EXPRESS MAIL LABEL NUMBER: ET513243849US

Date of Deposit: August 22, 2001

Inventor(s): Molnar, Ingo

For: **Embedded Protocol Objects**

I hereby certify that the following documents:

Express Mail Certificate; and

1. Utility Patent Application Transmittal (PTO/SB/05),
2. Fee Transmittal Form for FY 2001 in duplicate (PTO/SB/17),
3. 28 Specification pages,
4. 6 Drawing sheets,
5. Declaration (PTO/SB/01) (2 pages),
6. Power of Attorney (PTO/SB/81) (1 page),
7. CD-ROM in duplicate of Computer Program,
8. Transmittal Letter Accompanying Compact Disc Computer Program Listing Appendix Under 37 CFR § 1.52(e),
9. Check in the amount \$790.00, and
10. Receipt acknowledgment postcard.

are being deposited in a single envelope with the United States Postal Services "Express Mail" service under 37 C.F.R. 1.10 on the date indicated above and such envelope is addressed to:  
Box: Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Steven B. Phillips  
(Name of Person Mailing Documents)

SB Phillips  
(Signature of Person Mailing Documents)